

(O-83-98)

ORDINANCE NUMBER O- **15864** (New Series)

Adopted on **NOV 22 1982**

AN ORDINANCE AUTHORIZING AN AGREEMENT AMONG THE CITY OF SAN DIEGO, NATIONAL STEEL AND SHIPBUILDING COMPANY AND MORRISON-KNUDSEN COMPANY, INC. AND INDENTURE OF TRUST BETWEEN THE CITY OF SAN DIEGO AND SECURITY PACIFIC NATIONAL BANK, AS TRUSTEE, IN CONNECTION WITH THE ISSUANCE OF CITY REVENUE BONDS IN AN AMOUNT NOT TO EXCEED \$30,000,000 FOR A TERM NOT EXCEEDING 40 YEARS, UNDER THE SAN DIEGO ECONOMIC DEVELOPMENT REVENUE BOND LAW.

WHEREAS, the City Council of The City of San Diego (the "City") has by Resolution No. R-255428 (the "Resolution") authorized the issuance of its bonds (the "Bonds") to assist National Steel and Shipbuilding Company (the "Participating Party"), a wholly-owned subsidiary of Morrison-Knudsen Company, Inc. ("M-K"), in financing of facilities described in Exhibit A to the Resolution (the "Project"); and

WHEREAS, the financing of the Project requires the City to enter into a loan agreement and an indenture of trust extending for a period of greater than five years; and

WHEREAS, there has been prepared a form of loan agreement dated as of December 1, 1982, among the City, the Participating Party and M-K (the "Agreement"); and

WHEREAS, there has been prepared a form of indenture of trust dated as of December 1, 1982, between the City and Security Pacific National Bank, as Trustee (the "Indenture");

and

WHEREAS, a public hearing concerning the Agreement and the Indenture was duly noticed in the Daily Transcript pursuant to Section 99 of the Charter of The City of San Diego; and

WHEREAS, on November 8, 1982, a public hearing was held concerning the Agreement and the Indenture; NOW, THEREFORE,

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. The Agreement be and hereby is, in all respects approved, and the officials of the City acting for and in its name and as its corporate act and deed, be and hereby are, authorized and directed to execute and deliver the Agreement in substantially such form with such changes therein as such officers executing such Agreement shall approve, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 2. The Indenture be and hereby is, in all respects approved, and the officials of the City acting for and in its name and as its corporate act and deed, be and hereby are, authorized and directed to execute and deliver the Indenture in substantially such form with such changes therein as such officers executing such Indenture shall approve, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: John W. Witt, City Attorney

By Stuart H. Swett
Stuart H. Swett
Chief Deputy City Attorney

SHS:rc:112.4
11/1/82
Or.Dept:Mgr.
O-83-98
Form=o.none

NOV 22 1982

Passed and adopted by the Council of The City of San Diego on _____
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Susan Golding	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Marjorie G. Portecourt, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

NOV 08 1982

NOV 22 1982

, and on _____

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Marjorie G. Portecourt, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-15864 Adopted _____

NOV 22 1982

CERTIFICATE OF PUBLICATION

SAN DIEGO, CITY OF
202 C St, 12th floor
San Diego, CA 92101

ATTN: MAYDELL L. PONTECORVO

RECEIVED
DEC 13 1982
FBI/DOJ

IN THE MATTER OF

NO.

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(New Series)

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WHEREAS, the City Council of The City of San Diego (the "City") has by Resolution No. R255428 (the "Resolution") authorized the issuance of its bonds (the "Bonds") to assist National Steel and Shipbuilding Company (the "Participating Party"), a wholly-owned subsidiary of Morrison-Knudsen Company, Inc. ("M-K"), in financing of facilities described in Exhibit A to the Resolution (the "Project"); and

WHEREAS, the financing of the Project requires the City to enter into a loan agreement and an indenture of trust extending for a period of greater than five years; and

WHEREAS, there has been prepared a form of loan agreement dated as of December 1, 1982, among the City, the Participating Party and M-K (the "Agreement"); and

WHEREAS, there has been prepared a form of indenture of trust dated as of December 1, 1982, between the City and Security Pacific National Bank, as Trustee (the "Indenture"); and

WHEREAS, a public hearing concerning the Agreement and the Indenture was duly noticed in the Daily Transcript pursuant to Section 99 of the Charter of the City of San Diego and

WHEREAS, on November 8, 1982, a public hearing was held concerning the Agreement and the Indenture; NOW, THEREFORE,

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

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Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

I, Charlene Casselman, am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1909, Decree No. 14894; and the

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is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to wit:

December 6, 1982

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 6th day of Dec, 19 82.



(Signature)

7 1/2" x 8.87 = \$ 133.06

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